



PATENT
Attorney Docket No. 3495.0104-03
Customer Number 22,852

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Marc ALIZON et al.) Group Art Unit: 1648 (Prior Appln.)
)
Application No.: 09/986,634) Examiner: J. Parkin (Prior Appln.)
)
Filed: November 9, 2001)
)
For: NUCLEIC ACID-BASED)
METHODS FOR THE DETECTION)
OF HUMAN IMMUNODEFICIENCY)
VIRUS TYPE 2 (HIV-2))

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

**Request for Reconsideration of Notice to Comply with
Requirements for Patent Applications Containing
Nucleotide Sequence and/or Amino Acid Sequence Disclosures
and Response to Notice to File Missing Parts of Nonprovisional Application**

Reconsideration of the Notice dated January 17, 2001 (copy enclosed), is respectfully requested. Applicants note that this application is a continuation application of application Serial No. 08/467,161, filed June 6, 1995, now U.S. Patent 6,316,183, which is a continuation of application Serial No. 08/132,919, filed October 7, 1993, now U.S. Patent No. 5,545,726, which is a continuation of 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, which is a continuation of application Serial No. 07/602,383, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

4,839,288. Application Serial No. 07/756,998, filed September 9, 1991 is also a continuation of application Serial No. 07/604,323, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/933,184, filed November 21, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288. Therefore, this application has an effective U.S. filing date of **March 3, 1986**, which is prior to the *October 1, 1990*, effective date of the sequence rules. Consequently, applicants are not subject to the requirements of 37 C.F.R. §1.821-1.825 and are not required to submit a Sequence Listing. Accordingly, applicants respectfully submit that the Office's requirement for a Sequence Listing in this application is in error.

Applicants herewith submit a File Fee of \$740.00, the requisite surcharge of \$130.00, and the requisite return copy of the Notice.

If there is any fee due in connection with the filing of this paper or any deficit in the fees enclosed, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 6, 2002

By: 
Salvatore J. Arrigo
Reg. No. 46,063
Telephone: 202-408-4160
Facsimile: 202-408-4400
E-mail: arrigo@finnegan.com

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000